

REMARKS

Initially, applicant would like to thank Examiner Burch for discussing the application with applicant's representative.

The application has been amended to place the application in condition for allowance at the time of the next Official Action.

Claims 1-23 are pending in the application.

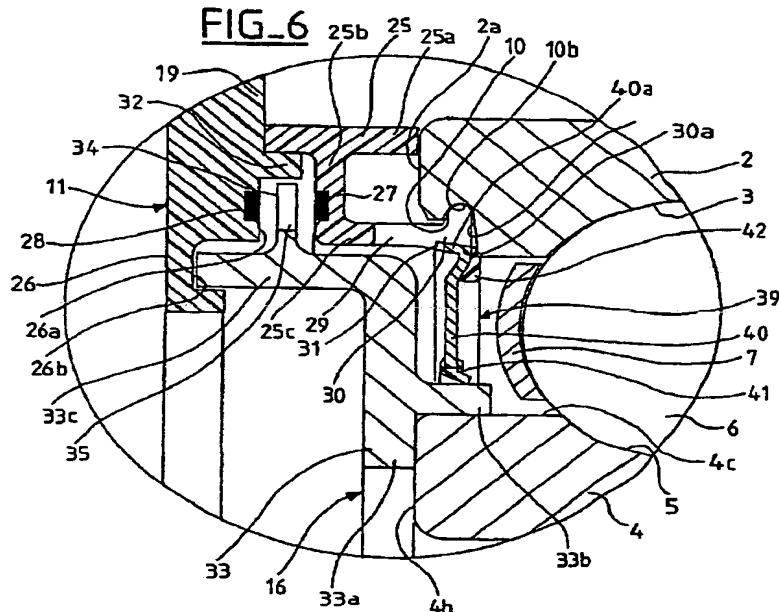
Claims 1-23 were rejected over LANDRIEVE WO01/73447 (U.S. equivalent 6,796,713). That rejection is respectfully traversed.

The position set forth in the Official Action is that LANDRIEVE discloses with respect to Figure 6 a means 25 for braking a rotating part. This means is said to include flexible elastic tabs 29 bearing against an annular friction element via element 41 to continuously brake the rotating part. Emphasis added by applicant.

As previously argued, flexible tabs 29 are provided to maintain first part 25 of the sensor unit 11 on the outer ring 2. The flexible tabs have neither a sealing function nor a braking function.

In any event, in order to advance prosecution, the independent claims are amend to recite that the flexible tabs directly bear against the annular friction member to continuously brake the rotating part. Support for this new limitation may be found in Figure 1 and on page 9, lines 25-37.

As seen in Figure 6 of LANDRIEVE, reproduced below, the flexible tabs 29 do not directly bear against the annular friction element 33b. Rather, at least rigid part 40 and, as noted in the Official Action, sealing lip 41 are between the flexible tabs 29 and annular member 33b.



In view of the above, it is apparent that the flexible tabs 29 are not directly bearing against the annular member to continuously braking the rotating part.

As the reference does not disclose that which is recited, the anticipation rejection is not viable. Reconsideration and withdrawal of the rejection are respectfully requested.

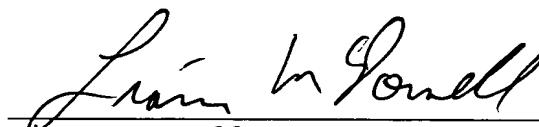
In view of the present amendment and the foregoing remarks, it is believed that the present application has been

placed in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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